

DECLARATION FOR PATENT APPLICATION

Attorney Docket No: **50506-1010**

As the below named inventor, I hereby declare that:

Our residences, post office addresses and citizenships are as stated below next to our names.

We believe we are the original, first, and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled **Soil and Groundwater Decontamination System and Method for Decontamination of Soil and Groundwater by Reaction and Extraction**, the specification of which:

- ☒ is attached hereto.
- ☐ was filed on _____ as Application Serial No. _____.
- ☐ was filed on _____ under U.S. Express Mail No. _____.
- ☐ was described and claimed in PCT International Application No. _____; filed on _____ and as amended Under PCT Article 19 on _____ (if any).

I/we hereby state that I/we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I/we acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

I/we hereby claim the benefit under Title 35, United States Code, §119 of any United States provisional patent application, foreign application(s) for patent or inventor's certificate listed below and have also identified below any United States provisional patent application, foreign application for patent or inventor's certificate having a filing date before that of the above-identified application on which priority is claimed: **NOT APPLICABLE.**

I/we hereby claim the benefit under Title 35, United States Code, §120 of any United States patent application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I/we acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application: **NOT APPLICABLE.**

I/we hereby appoint the following attorneys/agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: **George M. Thomas, Reg. No. 22,260; James W. Kayden, Reg. No. 31,532; Scott A. Horstemeyer, Reg. No. 34,183; Stephen R. Risley, Reg. No. 35,659; Jeffrey R. Kuester, Reg. No. 34,367; Daniel J. Santos, Reg. No. 40,158; Daniel R. McClure, Reg. No. 38,962; Robert E. Stachler II, Reg. No. 36,934; David P. Kelley, Reg. No. 17,420; Michael J. Tempel, Reg. No. 41,344; Michael J. D'Aurelio, Reg. No. 40,977; David R. Risley, Reg. No. 39,345; Jon E. Holland, Reg. No. 41,077; Dan R. Gresham, Reg. No. 41,805; M. Paul Qualey, Reg. No. 43,024; Jennifer M. Gruber, Reg. No. 42,601.**

Please address all telephone calls, in the first instance, to **Scott A. Horstemeyer** at telephone number: **(770) 933-9500.** 200

Address all correspondence to:

**Scott A. Horstemeyer
THOMAS, KAYDEN, HORSTEMEYER
& RISLEY, L.L.P.
100 Galleria Parkway, N.W., Suite 1500
Atlanta, Georgia 30339-5948**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statement and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Inventor's Signature: NBAthen Date: 4/9/99

Full Name of First or Sole Inventor: Nick Athens

Residence: 1651 Hadaway Court, Kennesaw, Georgia 30152 Citizenship: U.S.

Post Office Address: Same as Residence

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statement and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Inventor's Signature: David M. Goodrich Date: 4/09/99

Full Name of Second Inventor: David M. Goodrich

Residence: 142 Douglas Fir Drive, Waleska, Georgia 30103 Citizenship: U.S.

Post Office Address: Same as Residence

PATENT

Attorney's Docket No. 50506-1010

Applicant or Patentee: Nick Athens and David M. Goodrich

Serial or Patent No.:

Filed or Issued:

For: **Soil and Groundwater Decontamination System and Method for Decontamination of Soil and Groundwater by Reaction and Extraction.**

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS (37 CFR 1.9(f) and 1.27(b))—INDEPENDENT INVENTOR

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled

Soil and Groundwater Decontamination System and Method for Decontamination of Soil and Groundwater by Reaction and Extraction.

described in

- ☒ the specification filed herewith.
- ☐ application serial no. _____, filed _____.
- ☐ patent no. _____, issued _____.

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey, or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- ☒ no such person, concern, or organization
- ☐ persons, concerns, or organizations listed below*

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities (37 CFR 1.27).

FULL NAME: Nick Athens
ADDRESS: 1651 Hadaway Court Kennesaw GA 30152-5423
☒ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

FULL NAME: David M. Goodrich
ADDRESS: 142 Douglas Fir Drive, Waleska GA 30183
☒ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

FULL NAME: _____
ADDRESS: _____
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Nick Athens

Name of Inventor

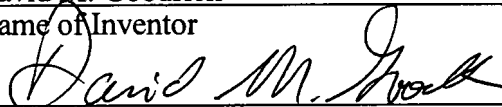


Signature of Inventor

Date 4/2/99

David M. Goodrich

Name of Inventor



Signature of Inventor

Date 4/2/99

Docket No. 50506-1010

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Nick Athens and David M. Goodrich

Serial No.:

Group No.:

Filed:

Examiner:

**For: Soil and Groundwater Decontamination System and Method for
Decontamination of Soil and Groundwater by Reaction and Extraction**

**Declaration in Support of Petition to Make Special Because of Environmental
Quality**

(37 C.F.R. § 1.102(c) and M.P.E.P. § 708.02 V)

To The Assistant Secretary and Commissioner
of Patents and Trademarks

Sir:

Scott A. Horstemeyer, who is the practitioner for the inventors of the above referenced patent application hereby declares that the above referenced application materially enhances the quality of the environment of mankind, by contributing to the restoration of clean soil. The current invention is utilized to decontaminate soil and groundwater that is unclean and contaminated by substances such as petroleum hydrocarbons, such as benzene, toluene, ethylbenzene, xylene, gasoline, diesel fuel, fuel oil, jet fuel, and others. Since the presence of these and other elements in soil and groundwater can result in contamination of a water supply as well as soil that is unavailable for various uses, such contamination is detrimental to the

environment, the removal of these elements from the soil and groundwater as provided by the present invention is beneficial to the environment.

4/20/99
Date

Scott A. Horstemeyer
Scott A. Horstemeyer
Reg. No. 34,183

United States of America

State of Georgia

ss:

County of

On this 20th day of April, 1999, before me personally came Scott A. Horstemeyer to me known to be the individual described above and who executed the foregoing instrument, or acknowledged execution of the same.

Mary D. Kilgore
Notary Public

Jan. 4, 2000
My Commission Expires (Date)